IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

FIRST APPEAL NO. 406 OF 2005

SMT. SUMAN SAHEBRAO NIKAM .. APPELLANT

vs.

SMT. TARABAI SAHEBRAO NIKAM .. RESPONDENT

Mr. Dilip Bodake for appellant

Mr. S. M. Oak for respondent

CORAM:-SMT. RANJANA DESAI, J.

DATED:-1-4-2005

P.C.

The learned counsel for the respondent has raised an objection that the instant appeal should in fact be filed in the District Court, Satara. Mr. Bodake, learned counsel for the appellant conceeds the legal position and states that appellant will file the appeal in the District Court, Satara. In view of this he seeks permission to withdraw the instant appeal. Appeal is

allowed to be withdrawn. Needless to say that ad-interim order already granted by this court is vacated.

2. The learned counsel for the respondent makes a statement that for a period of one week from today the respondent shall not take benefit of the succession certificate issued in her favour.
3. In view of the above, civil application also is disposed of.
4. If an application is made by the appellant, office is directed to return certified copy of the impugned order filed in this court to the appellant.
5. Parties to act on authenticated copy.

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